

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
CAMDEN VICINAGE

COOPER LEVENSON APRIL NIEDELMAN & WAGENHEIM, P.A.

1125 Atlantic Avenue - Third Floor

Atlantic City, NJ 08401

(609) 344-3161

File No. 51154.22

Attorney for Defendant, Marina District Development Company, LLC d/b/a Borgata Hotel  
Casino & Spa

JOHAN DANIYAN,

: NO. 07-cv-02734 (JHR)(JS)

:  
Plaintiff :

vs.

:  
Civil Action

BORGATA HOTEL CASINO,

:  
Defendant. :

: **MOTION IN LIMINE TO BAR**  
: **PLAINTIFF'S CLAIM REGARDING**  
: **DISCIPLINES ALLEGED TO HAVE**  
: **BEEN ISSUED IN RETALIATION**  
: **FOR PLAINTIFF'S FIRST WORKERS**  
: **COMPENSATION INJURY**

TO: GREGORY N. FILOSA, ESQUIRE and MARY L. BEJARANO, ESQUIRE  
Attorneys for Plaintiff

PLEASE TAKE NOTICE that the undersigned, attorneys for Defendant, Marina District Development Company, LLC d/b/a Borgata Hotel Casino & Spa, will apply to the above named Court on Monday, January 10, 2011 at 9:00 a.m., or as soon thereafter as counsel may be heard, for an Order to Bar testimony regarding disciplines alleged to have been issued in retaliation for plaintiff's first Workers Compensation injury. Reliance will be placed upon the attached Brief. A proposed form of Order is annexed.

COOPER LEVENSON APRIL  
NIEDELMAN & WAGENHEIM, P.A.

BY: 

NANCY A. VALENTINO, ESQUIRE  
Attorney for Defendant, Marina District  
Development Company, LLC d/b/a Borgata  
Hotel Casino & Spa

DATED: JANUARY 3, 2011

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